

REMARKS

This Preliminary Amendment is being filed to address issues cited by the Examiner in an Advisory Action mailed December 22, 2004. No new matter is presented.

Claim Rejection Under 35 USC §102

In support of the Applicant's assertion that U.S. Patent No. 6,242,140, issued to Kwon et al. (hereinafter referred to as "Kwon '140"), is not a proper §102(a) reference, the Applicant asserts that the priority filing date of the present application is August 24, 2000, which precedes the Issuance date of June 5, 2001, of Kwon '140. Thus, the Applicant wishes to "swear behind" this reference by submitting a verified translation of Korean Application No. 2000-49287 (attached).

Claim Rejection Under 35 USC §103

In support of the Applicant's assertion that Kwon '140 is not a proper reference under §102(e)/103(c), MPEP 706.02(k) states that "subject matter which was prior art under former 35 U.S.C. 103 via 35 U.S.C. 102(e) is now disqualified as prior art against the claimed invention if that subject matter and the claimed invention 'were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.'" As the present application and the subject matter of Kwan '140 were commonly owned at the time of the invention of the present application, the Applicant respectfully submits that Kwan '140 is not a proper reference for a §103 rejection. Please see the section immediately following this section for a statement evidencing common ownership according to MPEP 706.02(I)(2)(II).

Statement Regarding Common Ownership

U.S. Patent Application No. 09/935,332 and U.S. Patent No. 6,242,140 (Park et al.) were, at the time the invention of U.S. Patent Application No. 09/935,332 was made, both owned by Samsung SDI Co., Ltd.

Conclusion

It is respectfully requested that this Preliminary Amendment be entered in the above-referenced application.

If any further fees are required in connection with the filing of this Preliminary Amendment, please charge same to our Deposit Account No. 503333.

Respectfully submitted,

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Verification Statement For Translation

I, LEE, Jong-Jin, hereby declare that I am conversant in the Korean and the English languages and that I am the translator of the document attached and certify that to the best of my knowledge and belief the following is a true and correct English translation of the specification contained in Korean Patent Application No. 2000-0049287.

Signature : Lee Jong Jin LEE, Jong-Jin
Date : January 10, 2005

KOREAN INTELLECTUAL PROPERTY OFFICE

This is to certify that the following application annexed hereto is a true copy from the records of the Korean Intellectual Property Office.

Application No.: Patent Application No. 2000-0049287

Filing date: August 24, 2000

Applicant(s): SAMSUNG SDI CO., LTD.

COMMISSIONER

(Translation)

APPLICATION FOR PATENT

RECEIPIENT: The Commissioner of the Korean Intellectual Property Office

FILING DATE: August 24, 2000

TITLE: Method for Manufacturing Organic Electroluminescence Device

APPLICANT(S):

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REQUEST FOR EXAMINATION: YES

The above identified application and request for examination are duly submitted herewith pursuant to Articles 42 and 60, respectively, of the Patent Act.

OFFICIAL FEE(S):

ATTACHMENT(S): 1 Copy of specification, claims, abstract (drawings)